

BILL NO. 87-25
AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 87-25 (AS AMENDED)

Introduced by Council Member Parrott

Legislative Day No. 87-21 Date July 14, 1987

AN ACT to add new Chapter 218, heading, Sheriff, to the Harford County Code, as amended, to provide a chapter of laws which will govern the Sheriff's Department; to enact new Article I, heading, Disposition of Unclaimed Property, to be added to new Chapter 218 of the Harford County Code, said Article I to empower the Sheriff of Harford County to sell at public auction all unclaimed property; to provide for advertisement of such sale; to require the Sheriff to make reasonable efforts to locate the owners of all such property prior to a sale and give notice thereof; to allow the Sheriff to dispose of all bicycles either by public sale or gift to any charitable, nonprofit, or eleemosynary agency or institution in Harford County; to allow the Sheriff to withhold from sale any property and establish regulations therefor; and to provide for the payoff of the net proceeds of all such funds to the General Fund of Harford County.

By the Council, July 14, 1987

Introduced, read first time, ordered posted and public hearing scheduled

on: August 11, 1987

at: 6:15 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on August 11, 1987

and concluded on August 11, 1987

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford
2 County, Maryland, that new Article I, heading, Disposition
3 Of Unclaimed Property, be, and is hereby added to new
4 Chapter 218, heading, Sheriff, of the Harford County Code,
5 as amended, all to read as follows:

6 CHAPTER 218. SHERIFF.

7 ARTICLE I. DISPOSITION OF UNCLAIMED PROPERTY.

8 SECTION 218-1. AUTHORIZATION TO DISPOSE.

9 A. THE SHERIFF IS HEREBY AUTHORIZED AND EMPOWERED TO
10 SELL AT PUBLIC AUCTION UNCLAIMED PROPERTY, SUCH AS, BUT NOT
11 LIMITED TO, ANY AND ALL LOST, ABANDONED, STOLEN, LAWFULLY
12 SEIZED OR OTHER PROPERTY, OF EVERY KIND AND DESCRIPTION,
13 REMAINING UNCLAIMED FOR THIRTY (30) DAYS OR MORE IN THE
14 POSSESSION OR UNDER THE CONTROL OF THE SHERIFF; AND

15 (1) THE SHERIFF SHALL, PRIOR TO ANY SUCH SALE,
16 ADVERTISE NO LESS THAN ONCE IN ONE (1) OR MORE NEWSPAPERS
17 PRINTED AND PUBLISHED IN THE COUNTY THAT ON A DATE NAMED IN
18 THE ADVERTISEMENT, WHICH DATE SHALL BE NOT LESS THAN TEN
19 (10) DAYS AFTER THE PUBLICATION THEREOF, THE SHERIFF WILL
20 OFFER FOR SALE, AT PUBLIC AUCTION, SUCH LOST, ABANDONED,
21 STOLEN, LAWFULLY SEIZED OR UNCLAIMED PROPERTY.

22 (2) THE ADVERTISEMENT SHALL SET FORTH THE TIME,
23 PLACE AND TERMS OF THE SALE, TOGETHER WITH A DETAILED
24 DESCRIPTION OF THE PROPERTY TO BE SOLD;

25 (3) THE SHERIFF, PRIOR TO ANY SALE, SHALL MAKE
26 REASONABLE EFFORTS TO ASCERTAIN THE OWNER THEREOF, AND
27 SHALL, IF THE OWNER'S ADDRESS BE KNOWN, SEND A NOTICE BY
28 REGISTERED MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER AT
29 LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE SALE.

30 B. IF THE PROPERTY DESCRIBED IN SUBSECTION A IS A
31 BICYCLE, THE SHERIFF IS AUTHORIZED TO DISPOSE OF THE BICY-
32 CLE, EITHER BY PUBLIC SALE, AS PROVIDED HEREIN, OR BY GIFT

1 TO ANY CHARITABLE, NONPROFIT OR ELEEMOSYNARY AGENCY OR
2 INSTITUTION LOCATED IN HARFORD COUNTY.

3 C. IF ANY PROPERTY DESCRIBED IN SUBSECTION A IS TO BE
4 USED AS EVIDENCE IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING,
5 IT SHALL NOT BE SOLD OR OTHERWISE DISPOSED OF UNTIL THE
6 PROCEEDING IS COMPLETED AND THE PERIOD OF TIME FOR AN APPEAL
7 HAS EXPIRED.

8 D. IF ANY PROPERTY, DESCRIBED IN SUBSECTION A, IS
9 SUITABLE FOR OFFICIAL USE BY THE SHERIFF'S DEPARTMENT OR, IN
10 ITS OPINION, IS A THREAT TO THE PUBLIC HEALTH, WELFARE OR
11 SAFETY, THE SHERIFF SHALL ESTABLISH REGULATIONS FOR THE USE
12 OR DISPOSAL OF SUCH PROPERTY.

13 ~~E. --THE PROCEEDS OF ANY SALE SHALL BE USED TO PAY FOR~~
14 ~~THE COSTS THEREOF, INCLUDING, BUT NOT LIMITED TO, AUCTIONEER~~
15 ~~FEES, STORAGE FEES AND ADVERTISING. -- THE BALANCE OF THE~~
16 ~~PROCEEDS SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE~~
17 ~~COUNTY.~~

18 E. THE GROSS PROCEEDS OF ANY SALE UNDER THIS SECTION
19 SHALL BE DEPOSITED IN THE SPECIAL INVESTIGATION ACCOUNT OF
20 THE SHERIFF'S DEPARTMENT IN THE GENERAL FUND OF THE COUNTY.

21 Section 2. And Be It Further Enacted, that this Act shall
22 take effect sixty (60) calendar days from the date it
23 becomes law.

24 EFFECTIVE: October 13, 1987
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BY THE COUNCIL

AS AMENDED

BILL NO. 87-25 (as amended)

Read the third time.

Passed LSD 87-24 (August 11, 1987) (with amendments)

Failed of Passage _____

By Order

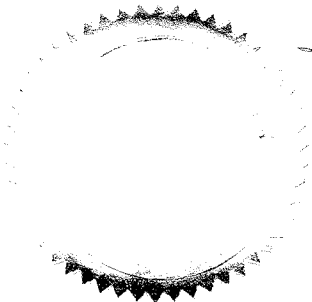
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 12th day of August, 1987
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]
County Executive

Date

8-13-87

BY THE COUNCIL

This Bill (No. 87-25, as amended), having been approved by
the Executive and returned to the Council, becomes law on
August 13, 1987.

Doris Poulsen, Secretary

EFFECTIVE DATE: October 13, 1987

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